REMARKS

In the non-final Office Action, the Examiner rejected claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 102(e) as anticipated by Randle et al. (U.S. Patent Application Publication No. 2003/0212904); and rejected claims 2 and 18 under 35 U.S.C. § 103(a) as unpatentable over Randle et al. in view of Hochmuth et al. (U.S. Patent Application Publication No. 2003/0055968).

By this Amendment, Applicants amend claims 2, 8-11, 24, and 26 to improve form. Applicants traverse the Examiner's rejections under 35 U.S.C. §§ 102 and 103. Claims 1, 2, 8-12, 16, 18, 20-24, 26-29, 31, and 33-35 remain pending.

REJECTION UNDER 35 U.S.C. § 102(e) BASED ON RANDLE ET AL.

In paragraph 2 of the Office Action, the Examiner rejected claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 102(e) as allegedly anticipated by Randle et al. Applicants traverse the Examiner's rejection.

Independent claim 23 is directed to a system that comprises a service gateway in communication with a first entity and a second entity. The service gateway comprises a first interface module to receive, from the first entity, a message requesting performance of a service in an extensible set of services offered by the second entity, the message including a service name that corresponds to the service and an argument that includes data used to perform the service; an access control module to make a first determination of whether the first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service

corresponding to the service name; and a second interface module to selectively request

performance of the service by the second entity based, at least in part, on results of the first,

second, and third determinations of the access control module.

Randle et al. does not disclose one or more of the features recited in claim 23. For

example, Randle et al. does not disclose a service gateway that includes, for example, an access

control module to make a first determination of whether a first entity is permitted to request

performance of the service corresponding to the service name, make a second determination of

whether the argument is permitted to be provided by the first entity, and make a third

determination of whether the argument is permitted to be requested for the service corresponding

to the service name, as recited in claim 23.

The Examiner alleged that Randle et al. discloses these features and cited paragraph 0054

of Randle et al. for support (Office Action, page 4). Applicants submit that the disclosure of

Randle et al. provides no support for the Examiner's allegation.

At paragraph 0054, Randle et al. discloses:

> In the preferred embodiment, when the session 28 is established, a service profile
> is created listing valid items, requests, and/or services that may be contained in a
> message 20 and/or executed by the user and/or device making the request. The
> service profile corresponds to a profile 40 (See FIG. 4) listing products, accounts,
> services, and so on, available for that user at a given destination 13a-n. Further
> access control may be applied based on core elements included in the message 20
> or on file profiles for service providers and the like.

In this section, Randle et al. discloses that, when a session is established, a service profile is

created that lists valid items, requests, and/or services that may be contained in a message and/or

executed by the user and/or a device making the request. At best, this section of Randle et al.

discloses making a first determination of whether a first entity is permitted to request

performance of a service corresponding to a service name in a message. There is nothing in this section that reasonably corresponds to either making a second determination of whether an argument, included in the message, is permitted to be provided by the first entity, or making a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

Rather, Randle et al. merely discloses a user profile that identifies an item, a request, or a service that can validly be contained in a message and/or executed by a user or a device. Randle et al. does not disclose or suggest that an "item" is data that is used to perform a service requested in a message. Thus, the "item," disclosed by Randle et al., cannot reasonably correspond to the argument recited in claim 23. Thus, Randle et al. does not disclose a service gateway that includes, for example, an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

Even assuming, for the sake of argument, that the "item," disclosed in this section of Randle et al., can reasonably correspond to an argument that includes data used to perform the service (a point that Applicants do not concede), Randle et al. does not disclose determining whether an item is permitted to be provided by a first entity, as would be required by claim 23 based on this interpretation of Randle et al. Rather, Randle et al. merely discloses identifying valid items that can be contained in a message and/or that can be executed by a user or device making the request (paragraph 0054). Thus, Randle et al. does not disclose a service gateway

that includes, for example, an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

When addressing the feature, of claim 23, relating to a message that includes a service name that corresponds to a requested service and an argument that includes data used to perform the service, the Examiner alleged that Randle et al. discloses an argument as "an element of the request containing data, such as user ID" disclosed in paragraph 0048 of Randle et al. Thus, the Examiner has taken an inconsistent position with regard to the argument recited in claim 23. Based on this interpretation of Randle et al., Randle et al. does not disclose determining whether the element of the request containing data, such as the user ID, is permitted to be provided by the first entity, or determining whether the element of the request containing data, such as the user ID, is permitted to be requested for the service corresponding to the service name, as would be required by claim 23 based on this interpretation of Randle et al. Thus, Randle et al. does not disclose a service gateway that includes, for example, an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

Further, there is nothing in paragraph 0048, of <u>Randle et al.</u>, that reasonably corresponds to making a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23. Rather, <u>Randle et al.</u> merely discloses identifying valid items that can be contained in a message and/or that can be executed by a user or device making the request (paragraph 0054). Thus, <u>Randle et al.</u> does not disclose a service gateway that includes, for example, an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, as recited in claim 23.

Because <u>Randle et al.</u> does not disclose a service gateway that includes an access control module to make a first determination of whether a first entity is permitted to request performance of the service corresponding to the service name, make a second determination of whether the argument is permitted to be provided by the first entity, and make a third determination of whether the argument is permitted to be requested for the service corresponding to the service name, <u>Randle et al.</u> cannot disclose a service gateway that includes a second interface module to selectively request performance of the service by the second entity based, at least in part, on results of the first, second, and third determinations of the access control module, as further recited in claim 23.

The Examiner alleged that <u>Randle et al.</u> discloses these features and cited paragraph 0054 of <u>Randle et al.</u> for support (Office Action, page 4). Applicants submit that the disclosure of <u>Randle et al.</u> provides no support for the Examiner's allegation.

At paragraph 0054, <u>Randle et al.</u> discloses that the service profile corresponds to a profile that lists products, accounts, services, and so on, available for that user at a given destination. As explained above, <u>Randle et al.</u> does not disclose or suggest the first, second, and third determinations recited in claim 23. Therefore, <u>Randle et al.</u> cannot reasonably disclose a service gateway that includes a second interface module to selectively request performance of the service by the second entity based, at least in part, on results of the first, second, and third determinations of the access control module, as further recited in claim 23. Rather, <u>Randle et al.</u> merely discloses a profile that lists products, accounts, and services that are available for a user at a particular destination.

If the Examiner maintains a rejection of claim 23 based on <u>Randle et al.</u>, Applicants respectfully request that the Examiner *specifically* identify what feature, in the disclosure of <u>Randle et al.</u>, allegedly corresponds to an argument, allegedly corresponds to the second determination, and allegedly corresponds to the third determination. Applicants submit that the Examiner allegation with regard to the term argument must be consistent with the Examiner's allegations with regard to the second and third determinations.

For at least these reasons, Applicants submit that claim 23 is not anticipated by <u>Randle et al.</u> Claims 1, 8-12, 24, and 33 depend from claim 23 and are, therefore, not anticipated by <u>Randle et al.</u> for at least the reasons given with regard to claim 23.

Independent claim 26 recites features similar to, yet possibly different in scope from, the features identified above with regard to claim 23. Thus, claim 26 is not anticipated by Randle et al. for at least reasons similar to reasons given with regard to claim 23. Claim 27-29 depend from claim 26 and are, therefore, not anticipated by Randle et al. for at least the reasons given with regard to claim 26.

Independent claim 31 recites features similar to, yet possibly different in scope from, the features identified above with regard to claim 23. Thus, claim 31 is not anticipated by Randle et al. for at least reasons similar to reasons given with regard to claim 23. Claim 16, 20-22, and 34 depend from claim 31 and are, therefore, not anticipated by Randle et al. for at least the reasons given with regard to claim 31.

Independent claim 35 recites features similar to, yet possibly different in scope from, the features identified above with regard to claim 23. Thus, claim 35 is not anticipated by Randle et al. for at least reasons similar to reasons given with regard to claim 23.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 1, 8-12, 16, 20-24, 26-29, 31, and 33-35 under 35 U.S.C. § 102(e) based on Randle et al.

REJECTION UNDER 35 U.S.C. § 103 BASED ON RANDLE ET AL. AND HOCHMUTH

In paragraph 4 of the Office Action, the Examiner rejected claims 2 and 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Randle et al. in view of Hochmuth et al. Applicants traverse the Examiner's rejection.

Claim 2 depends from claim 23, and claim 18 depends from claim 31. Without acquiescing in the Examiner's allegations with regard to claims 2 and 18, Applicants submit that

the disclosure of <u>Hochmuth et al.</u> does not cure the deficiencies in the disclosure of <u>Randle et al.</u> identified with regard to claims 23 and 31. Therefore, claims 2 and 18 are patentable over <u>Randle et al.</u> and <u>Hochmuth et al.</u>, whether taken alone or in any reasonable combination, for at least the reasons given with regard to claims 23 and 31.

Accordingly, Applicants respectfully request the reconsideration and withdrawal of the rejection of claims 2 and 18 under 35 U.S.C. § 103(a) based on <u>Randle et al.</u> and <u>Hochmuth et al.</u>

<div align="center">CONCLUSION</div>

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of claims 1, 2, 8-12, 16, 18, 20-24, 26-29, 31, and 33-35.

As Applicants' remarks with respect to the Examiner's rejections overcome the rejections, Applicants' silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons for modifying a reference and/or combining references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to dispute these assertions/requirements in the future.

If the Examiner believes that the application is not now in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned to discuss any outstanding issues.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess

fees to such deposit account.

Respectfully submitted,
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